

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO et
al.,

Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

ORDER GRANTING THE TWO HUNDRED FIFTY-SEVENTH OMNIBUS
OBJECTION (NON-SUBSTANTIVE) OF THE PUERTO RICO HIGHWAYS AND
TRANSPORTATION AUTHORITY AND EMPLOYEES RETIREMENT SYSTEM OF THE GOVERNMENT OF
THE COMMONWEALTH OF PUERTO RICO TO CLAIMS ASSERTED AGAINST THE INCORRECT DEBTOR

Upon the *Two Hundred Fifty-Seventh Omnibus Objection (Non-Substantive) of the Puerto Rico Highways and Transportation Authority and Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Claims Asserted Against the Incorrect Debtor* (Docket Entry No. 14233, the “Two Hundred Fifty-Seventh Omnibus Objection”),² filed

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (“Commonwealth”) (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² Capitalized terms used but not otherwise defined herein have the meanings given to them in the Notice.

by the Puerto Rico Highways and Transportation Authority (“HTA”) and the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS,” and together with HTA, the “Debtors”), dated September 11, 2020, for entry of an order reclassifying, in whole or in part, certain claims filed against the Debtors, as more fully set forth in the Two Hundred Fifty-Seventh Omnibus Objection and supporting exhibits thereto; and the Court having jurisdiction to consider the Two Hundred Fifty-Seventh Omnibus Objection and to grant the relief requested therein pursuant to PROMESA section 306(a); and venue being proper pursuant to PROMESA section 307(a); and due and proper notice of the Two Hundred Fifty-Seventh Omnibus Objection having been provided to those parties identified therein, and no other or further notice being required; and upon the *Notice of Presentment of Proposed Order (A) Granting in Part the Two Hundred Fifty-Seventh Omnibus Objection (Non-Substantive) of the Puerto Rico Highways and Transportation Authority and Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Claims Asserted Against the Incorrect Debtor, (B) Approving Form of Notice for Claims to be Set for Hearing, and (C) Granting Related Relief*, dated October 23, 2020 (Docket Entry No. 14859, the “Notice”), for entry of an order reclassifying, in whole or in part, the Incorrect Debtor Claims to Be Modified via Notice of Presentment (as defined below), as more fully set forth in the Notice; and the Court having determined that the relief sought in the Two Hundred Fifty-Seventh Omnibus Objection is in the best interests of the Debtors, their creditors, and all parties in interest; and the Court having determined that the legal and factual bases set forth in the Two Hundred Fifty-Seventh Omnibus Objection establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is hereby:

ORDERED that the Two Hundred Fifty-Seventh Omnibus Objection is GRANTED as set forth herein; and it is further

ORDERED that claims identified in the column titled “Asserted” in Exhibit B hereto (the “Incorrect Debtor Claims to Be Modified via Notice of Presentment”) are hereby reclassified, in whole or in part, to be claims asserted against the Commonwealth, as indicated in the column titled “Corrected” in Exhibit B hereto; and it is further

ORDERED that the Debtors’ right to object to the Incorrect Debtor Claims to Be Modified via Notice of Presentment is reserved; and it is further

ORDERED that Prime Clerk, LLC, is authorized and directed, in the official claims register in the PROMESA cases, to move the portions of the claims identified in the column titled “Asserted” in Exhibit B hereto from the Title III case for the debtor(s) identified in the column titled “Asserted” in Exhibit B hereto to the Two Hundred Fifty-Seventh Omnibus Objection to the Commonwealth’s Title III Case (Bankruptcy Case No 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); and it is further

ORDERED that this Order resolves Docket Entry No. 14233 in Case No. 17-3283; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

SO ORDERED.

Dated: March 26, 2021

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge